

Dutchess County
Criminal Justice Council
Meeting Minutes

July 18, 2017

Present: Mary Ellen Still, Chair, Director of Probation
Dr. Gary Christensen, CJC Consultant
Karen DeSimone, D.C. Probation, Juvenile Justice Committee Chair
Bridget Goddard, DCFS
Kelly Bunt, Victims Committee Chair
Honorable Gerald Hayes, Citizen Appt.
Barbara Jeter-Jackson, D.C. Legislator
Jerry Landisi, Legislator
Honorable Frank Mora, Poughkeepsie City Court
William O'Neil, D.C. Executive's Office
Julia Pagones, D.C. Executive's Office
Margaret Hirst, DBCH
Jon Heller, D.C Probation, Special Populations Chair
Shirley Adams, CIC Chair
Austin "Brad" Hodgkins, Citizen Appointment
Honorable Frederick Romig, East Fishkill Town Justice
Eric Knapp, Public Defender's Office
John T. Gildard, Citizen Appt.
Steve Miccio, PEOPLE Inc., Diversion Committee Chair
Mike Young, Poughkeepsie City Council
Kari Rieser, D.C. Legislator
William G. Carlos, Jr., Citizen Appointment
Dawn Hawley, Coordinator

Guests: Joanne Nellis, D.C. Probation & Community Corrections
Martin Lynch, Project MORE

- 1. Approval of May 16, 2017 Minutes** – The minutes were approved on a motion by Steve Miccio, seconded by Bill Carlos.
- 2. Jail ATI – John Alessi and Mary Ellen Still** – The Jail/ATI report and stats were sent out electronically. There were no questions on the reports.
- 3. Criminal Justice Report – Dr. Gary Christensen** gave a presentation on the use of jail beds within the Dutchess County Jail. Gary outlined the Quality Assurance efforts to evaluate RESTART outcomes and enhance efficiency, effectiveness and long term public safety. Gary showed an analysis of a one year post release study from the jail. The sample size for RESTART was 151

people who were in RESTART for at least 30 days and whose Proxy score is 4-6, which places them in the highest risk to recidivate. Gary showed a slide that was a comparison of all inmates. Inmates who scored 4-6 on the Proxy and were not in RESTART recidivated at a rate of 58%. The inmates in the RESTART program recidivated at a rate of 40%. That is an 18% reduction overall for high risk people completing RESTART which exceeds expectations for this point in time. Gary reported that usually you can expect a 5% to 10% reduction at this stage. Gary added that research shows it is possible to get up to a 30% reduction with RESTART type of programming.

Gary then reported on Average Length of Stay progress to date. Our goal has been to reduce the average length of stay by 5 days from 2016 to the end of 2017. The overall length of stay in DCJ for 2016 was 55.1 day per person. We were down to 51.7 by the end of June. These are one year rolling averages.

Gary reported that we have a very high population in our jail right now. From January 2016 to date, about half the people were incarcerated for misdemeanors. Another significant population is nonviolent felonies. The top admission charges are for Petit Larceny, Criminal Possession of Controlled Substance (misdemeanor) Parole holds and Criminal Possession of a Controlled Substance (felony). Gary looked at admissions by court and by crime. We see a 33% increase in the City of Poughkeepsie from January—May 2017 over the same period last year. Gary said that misdemeanor admissions overall are relatively flat. Nonviolent felony admissions are up 10% and violent felony admissions are up by 42%. Gary added that individuals admitted for violent felonies will most likely stay in jail for a longer period than those arrested for misdemeanors.

There are more people coming in the door and fewer people getting out. As part of the efforts of the Quality Assurance group, Gary sends a report to the Public Defender and the District Attorney every week which contains names of everyone incarcerated for a period of 50-70 days with pending charges. They then evaluate these cases to see if they can expedite them. These efforts have resulted in a reduction in ALOS with one exception which is Criminal Possession of a Controlled Substance (felony). Gary said there are multiple reasons that average length of stay has gone up for people with this charge. Kari Rieser asked what's happening with arrests in the City of Poughkeepsie. Gary said we have heard from Chief Pape that there are "smart policing" practices taking place. This will result in taking drugs off the street and more arrests. Gary said we are working to get people screened more quickly and into treatment, RESTART or other alternative to incarceration options. Some discussion ensued.

Hierarchy of Alternatives to Incarceration - Mary Ellen Still reviewed the Hierarchy of Alternatives to Incarceration that we have available when we are screening pretrial cases. Probation uses evidence-based instruments to screen as quickly as possible. In addition to having probation officers at the jail to screen newly admitted defendants, we have probation officers assigned to various courts in the county including County Court, City of Poughkeepsie and Town of Poughkeepsie as well as others. They screen people at the court in order to prevent an admission to the jail if possible. We look for the least restrictive option that is commensurate with risk. About half the people are placed on ROR to probation for monitoring. RUS (Release under Supervision) has conditions attached to the release. We have a Drug Court in Beacon and a Drug/Diversion part in our County Court. Interim supervision became available several years

ago as a sentencing option. Our Women's Center is funded through a grant from DCJS and is managed by Project MORE. It provides gender-specific programming for women in our criminal justice system. Participants can be either pretrial or sentenced. Community Transitions Center, CTC, is a day reporting program that provides a variety of evidence-based services including MRT and also oversees community service. ITAP, the Intensive Treatment Alternative Program, is an intensive community-based treatment program often used in conjunction with Transitional Housing. People may reside at the Transitional House while they are attending ITAP or waiting for a bed to become available at a treatment facility. It is a 38 bed secure facility for both males and females. Electronic Monitoring has been around since the early 1990s. It provides structure and is often paired with treatment. In answer to a question from Judge Romig, Mary Ellen responded that due to newer technology, participants no longer need to have a land line. RESTART is our newest program for highest risk individuals returning from jail to the community. It provides a stabilization and treatment period that will be followed up in the community. The Stabilization Center helps divert people from jail and/or hospitalization. Mary Ellen will update the Magistrates Association about available alternatives to incarceration. Last year, Gary and Mary Ellen presented on the latest research and RESTART.

The programs presented are the result of planning and research. Our population has been studied to be sure we are matching programs to our population's risk and needs.

4. Committee Reports:

CIC – Shirley Adams

Shirley reported the next scheduled meeting is August 23 at 2:00 p.m. Shirley said she thinks the members of CIC would like to view the slide show presented today.

ReEntry – Tom Angell and Jill Lenard-Horne

Eric Knapp attended the meeting representing Tom Angell. Re-Entry met on June 15 for a presentation from a representative from Westchester Legal Aid Society. He presented on the intersection of immigration law and the re-entry population. Tom also participated in a regional re-entry program coordinated by DCJS on June 29 in Hyde Park. All the re-entry programs in the area gathered for a full day of training. There is a follow up meeting on August 17 at 2:00 p.m. at St. Paul's Church in Poughkeepsie.

Diversion – Steve Miccio

Steve reported that the Stabilization Center has had over 800 people come in over the last five months. On August 8, members of the team will meet to discuss what is working and what may need to be modified. Beth Alter, DBCH, is looking at the stats to see if there is an impact on the hospital emergency room. We have had 114 officers bring people to the Stabilization Center. Steve said that they just graduated 22 officers from the CIT 40-hour training. There is another training coming up in September and an 8-hour training being done by the State of New York through legislative money. We have a 40-hour training in October that will be attached to the academy. This will be open to seasoned officers as well. All the dispatchers throughout the county are being trained in CIT. The county's 911 staff was trained last week. Steve said they have been meeting with individual Police Departments to work on data collection and to set up

in-services. Steve continued that they have drafted a newsletter that should be out at the end of this month. The team will attend a conference in Florida in August. It is with CIT International and will cover new trends in CIT. Steve announced that he has been voted onto the CIT International Board.

Juvenile Justice – Karen De Simone

The Juvenile Justice Committee met in May. Most of that meeting was focused on reviewing the mapping report and going over those recommendations. A sub-committee has been formed to further discuss some of those recommendations. The group meets on July 27 at 12:30 p.m.

Quality Assurance – Dr. Gary Christensen

Quality Assurance efforts are ongoing and were covered in Gary's presentation.

Victims – Kelly Bunt

Kelly reported that the Victims Committee has developed a sexual assault tracking form for police departments to use. The Town of Poughkeepsie, City of Poughkeepsie and DC Sheriff's Office will pilot it from July until the end of the year. Each month the committee will look at the data collected. The committee meets next on Sept 8.

Special Populations – Jon Heller

Jon reported that the committee met on June 19 and on July 17. The June meeting was held at the Dutchess County Jail. Most of the meeting was dedicated to a tour of the facility. The reasons for the tour were to acquaint the Special Populations Committee with the overall conditions of the current facility and also to show them the RESTART unit within the facility. Not having the RESTART women in their own housing unit is a disadvantage in the current facility.

Jon continued that at yesterday's meeting there were updates on the Stabilization Center and RESTART. The committee is now focusing on strengthening aftercare. Case managers drive people to appointments after release and community agencies are coming to the jail to meet potential participants. Jon continued that we are establishing a centralized phone number that people who have completed RESTART can use.

The Special Needs subcommittee also gave a report. That subcommittee is coordinated by Tom Angell and Toni Ciarfella. They met twice and Tom reported they identified three main issues. The first issue is avoiding incarceration for people already in a facility. Tom is working with the District Attorney's office in setting up a protocol to determine if an arrest will take place. The second issue was identifying inmates that come into the jail with special needs. This is particularly important with people that fall into the autism spectrum. We are setting up two different trainings with the Anderson School staff. One training will be for the correction officers at the jail. We will also host training at Probation for staff from Probation, Public Defender's Office, the District Attorney's Office and the Jail medical staff on recognizing people on the spectrum. The third issue was returning people to the facility they came from once they were admitted to the jail. We established a protocol to quickly identify such individuals and begin a process to return them to their community residence as soon as possible.

5. Old Business

Bill O'Neil gave an update on the presentation given to the Legislative Justice and Transitions Center Advisory Committee last week. This project has two phases; one is the creation of the Law Enforcement Center which is the office where the Sheriff will be located. We need to do that first because the new part of the Justice and Transition Center will be built where the Sheriff's Office is now. We are in the process of rehabilitating the Taylor building on Parker Avenue which will be the site of the Law Enforcement Center. We have received the construction bids. There are five areas that had to be bid out by state law; three of the contractors responding are local. When added up the bids we received are under our budget projections. We are about \$1.5 million under our budget of about \$36 million. We will begin construction in August. We will move the Sheriff Office into the new facility in January of 2019. The final phase of the Law Enforcement Center is to demolish the Sheriff's old office. The Justice and Transition Center is moving into the design phase beginning this month. The Justice and Transition Center construction will start in March of 2019. That construction should take about two years. In the early part of 2021 we will be able to move inmates into the facility. There will then be about a year's worth of clean-up work removing the temporary facility and building the parking lot.

Bill said one of the main issues is the final sizing of the facility. We are doing an analysis of the sizing and staffing for the facility. We want to make sure that we are maximizing the economics of this new design so that there is the proper number of CO posts. Our goal is to build a facility that would have 498 beds with a 35 bed medical unit. The bad news is that our admissions have spiked. In 2016 our average daily population was 404 but it is now trending up. The average daily population is currently about 450 and spiked in June to 471 inmates. Admissions are going up but our average length of stay has dropped almost 5 days overall. Working with Gary, the Quality Assurance Committee continues to review a number of areas that have systemic issues. We are looking at forensic evaluations to see if we can reduce the time it takes to complete them. Bill continued that one of the very disturbing things is the percentage of parolees that are in our jail. Roughly 13% of our population is New York State parolees in our jail awaiting a hearing or adjudication. We can't put them into an ATI so they sit in our jail until their case is finalized. This is a New York State problem that has become our problem. We have plans to go to the state to try to get relief. If we could reduce the population by 10% we could reduce the size of the facility.

We will have to go to the COC and discuss number of beds with them. Bill said that about 10 years ago the state started to decommission beds. They have decommissioned about 6,000 prison beds. At the same time, they have mandated the counties to build about 6,000 new jail cells. Bill Carlos asked if we are considering any margin for the future. Bill O'Neil replied that we have about a 15% growth number which the COC thought was a low number. Our justification is that our programs and strategies are having an impact. If the recent spike continues, however, that will eat into that 15% pretty quickly. Bill said he does think that the parolee issue is something we are going to push hard with the state. Bill said that due to the spikes, we have had to house-out inmates again and Ulster County has been able to accommodate most of them. Ulster usually has anywhere up to 30 beds available for us to use. If Ulster is not using those

beds, it's not that difficult to transport there. Bill said it's like a regional jail. If we are only going to occasionally house 10 or 15 inmates, this may be a better solution than building a larger facility. Bill added that we do have double bunking as an option that will add up to 30 beds. Mary Ellen said we are just beginning to see the benefit of RESTART and we have other strategies being implemented as well.

Gary said that lowering the average length of stay can be done. Not that long ago we had an average length of stay of 30 days. Judge Mora said that a lot of their cases involve drugs and they would like to move people into a treatment facility, but they have to wait several weeks for forensic evaluations to be completed. Mary Ellen said that we are looking at speeding up processing in all areas. Bill O'Neil said that includes plea agreements and the willingness of people to engage in treatment.

6. New Business - none

7. Announcements – none

8. Adjournment – Bill Carlos made a motion to adjourn seconded by Bill O'Neil at 9:40 a.m.